

February 17, 1939.

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Honorable C. J. Carroon,
Member of the House of Representatives,
Capitol,
Phoenix, Arizona.

Dear Mr. Carroon:

I have before me House Bill No. 136 which you have requested this office to examine as to its constitutionality.

The following sentence beginning on line 16 of page 2:

"In calculating such amount, a fraction of one mill, whether a major or minor fraction, shall be disregarded."

might be construed as authorizing the taking of property without due process of law, and we believe it would be so construed. Other than that, the act is subject to no constitutional objections.

Very truly yours,

JOE CONNAY,
Attorney General

W. E. PORNEY,
Assistant Attorney General

EARL ANDERSON, ✓
Special Assistant
Attorney General.